

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5940 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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PARMAR NARAN VARJANG

Versus

STATE OF GUJARAT

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Appearance:

MR PK PAREKH for Petitioners

Mr. VB Gharania, Asstt.GP for Respondents.

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 01/09/98

ORAL JUDGEMENT

Rule. Service of rule is waived by Mr. Gharania, learned Assistant Government Pleader appearing for the respondents. On the facts and in the circumstances of the case, the matter is taken up for final hearing today.

2. The petitioners were staying at village Lathi. They have complained about the atrocities with which they

were subjected to in the past. Particulars thereof are set out in the petition. They have prayed for benefit of the rehabilitation and compensation under the policy of the Government. They have also referred to section 21 (2)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 ("the Act" for short) and Rule 15 of the Scheduled Castes and Scheduled Castes (Prevention of Atrocities) Rules, 1995.

3. Mr. Gharania, learned Assistant Government Pleader appearing for the respondents has submitted that the petition be treated as a representation to the respondents - Government and appropriate directions might be issued.

4. In the result, bearing in mind the facts of the case, following directions are issued :

The concerned authority of the respondents will consider this petition as a representation made under the aforesaid provisions of law as also under the relevant Scheme and Resolution of the Government. Said authority will inform the petitioners as and when the matter is kept for hearing before such authority. After hearing petitioners, said authority will decide the representation as contained in this petition in accordance with law and intimate the petitioners about such decision. Whole of the aforesaid exercise shall be undertaken and the decision shall be taken within a period of eight weeks from the date of receipt of writ of these directions. Rule is made absolute only in aforesaid terms with no order as to cost.

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Vyas